

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
**ANDREW WILLIAM SMITH and LISA VELTEN-SMITH,**  
**Individually and on behalf of all others similarly situated**  
*Plaintiff,*

Civil Action No.:  
08-cv-00564 (LAK)(DFE)

*-against-*

**WELLS FARGO & COMPANY, a California Corporation,  
WELLS FARGO BANK, N.A. a California Corporation,  
and Does 1 through 20,**

**MOTION TO ADMIT  
COUNSEL PRO HAC  
VICE**

*Defendants.*  
-----X

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Stuart E. Nahas, a member in good standing of the bar of this Court, move for an Order allowing the admission pro hac vice of:

Applicant's Name:	Wayne S. Kreger
Firm Name:	Milstein, Adelman & Kreger, LLP
Address:	2800 Donald Douglas Loop N.
City/State/Zip	Santa Monica, California 90405
Phone Number:	(310) 396-9600
Fax Number:	(310) 396-9635

Wayne S. Kreger is a member in good standing of the Bar of the States of California and New York.

FILED  
U.S. DISTRICT COURT  
2008 FEB 14 PM 11:29  
S.D. OF N.Y.

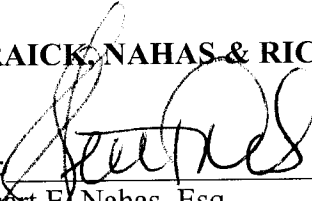
201-241-2549

There is no pending disciplinary proceeding against Wayne S. Kreger in any State or Federal Court.

Dated: February 13, 2008  
New York, New York

Respectfully submitted,

**ZRAICK, NAHAS & RICH**

By:   
Stuart E. Nahas, Esq.  
Attorneys for Plaintiffs  
SDNY Bar No.: 8206  
303 Fifth Avenue  
New York, New York 10016  
Phone: (212) 686-0855  
Fax: (212) 779-9548

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**ANDREW WILLIAM SMITH and LISA VELTEN-SMITH,  
Individually and on behalf of all others similarly situated**

*Plaintiff,*

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*Defendants.*  
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Civil Action No.:  
08 CV 0564 (LAK)(DFE)

**AFFIDAVIT OF  
STUART E. NAHAS IN  
SUPPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

State of New York            )  
                                      )  
County of New York        )           ss:

Stuart E. Nahas, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Zraick, Nahas & Rich, counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Wayne S. Kreger as counsel *pro hac vice* to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in March 1994. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Wayne S. Kreger for over nineteen (19) years.
4. Mr. Wayne S. Kreger is a partner at Milstein, Adelman & Kreger LLP, in Santa Monica, California.

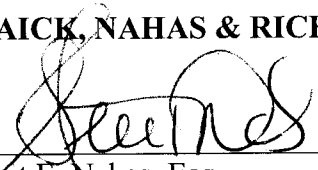
5. I have found Mr. Kreger to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
6. Accordingly, I am pleased to move the admission of Wayne S. Kreger, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Wayne S. Kreger, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Wayne S. Kreger, *pro hac vice*, to represent Plaintiffs in the above captioned matter, be granted.

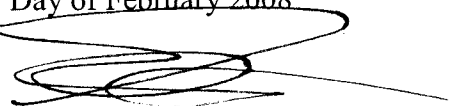
Dated: February 13, 2008  
New York, New York

Respectfully submitted,

**ZRAICK, NAHAS & RICH**

By:   
Stuart E. Nahas, Esq.  
Attorneys for Plaintiffs  
SDNY Bar No.: 8206  
303 Fifth Avenue  
New York, New York 10016  
Phone: (212) 686-0855  
Fax: (212) 779-9548

Sworn to before me this 13<sup>th</sup>  
Day of February 2008



Notary Public

EDWARD A. RAHAB  
Notary Public, State of New York  
No. 24-2346723  
Qualified in Kings County  
Commission Expires Oct. 31, 2009

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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*Plaintiff,*

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**WELLS FARGO & COMPANY, a California Corporation,  
WELLS FARGO BANK, N.A. a California Corporation,  
and Does 1 through 20,**

**ORDER FOR  
ADMISSION PRO  
HAC VICE ON  
WRITTEN MOTION**

*Defendants.*  
-----X

Upon the Motion of Stuart E. Nahas, attorney for Andrew William Smith and Lisa Velten-Smith, et. al. and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name:	Wayne S. Kreger
Firm Name:	Milstein, Adelman & Kreger, LLP
Address:	2800 Donald Douglas Loop N.
City/State/Zip	Santa Monica, California 90405
Phone/Fax Number:	(310) 396-9600/(310) 396-9635
Email Address:	<u><a href="mailto:wkreger@maklawyers.com">wkreger@maklawyers.com</a></u>

is admitted to practice pro hac vice as counsel for Andrew William Smith and Lisa Velten-Smith, et. al. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this court are subject to the

Local Rules of this Court, including Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](https://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated:

New York, New York

United States District/Magistrate Judge



*State of New York*  
*Supreme Court, Appellate Division*  
*Third Judicial Department*

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*I, Michael J. Novack, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that*

*Wayne Scott Kreger*

*having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the 27th day of February, 2003, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.*

*In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this 8th day of February, 2008.*



*Michael J. Novack*  
\_\_\_\_\_  
*Clerk*



# THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

January 30, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, WAYNE SCOTT KREGER, #154759 was admitted to the practice of law in this state by the Supreme Court of California on December 16, 1991; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

  
Kath Lambert  
Custodian of Membership Records